

**MINUTES of the Planning Committee of Melksham Without Parish Council held on  
Monday 9 November 2020 at 7.00pm**

**(DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS WAS A  
VIRTUAL MEETING, WITH MEMBERS OF THE PUBLIC BEING ABLE TO ACCESS  
THE MEETING VIA THE PUBLISHED ZOOM INVITATION. UNFORTUNATELY, DUE  
TO TECHNICAL PROBLEMS, THIS MEETING WAS UNABLE TO BE LIVE  
STREAMED VIA YOUTUBE BUT WAS UPLOADED THE FOLLOWING DAY)**

**Present:** Councillors Richard Wood (Council & Committee Chair), John Glover (Council Vice Chair), Alan Baines, (Committee Vice-Chair), Mary Pile and David Pafford

**Also present:** Andy Birch, Hallam Land Management  
Dan Yeates, Savills

**Members of Public Present:** One member of public

**Officers:** Teresa Strange (Clerk) and Lorraine McRandle (Parish Officer)

**157/20 Welcome, Announcements & Housekeeping**

The Chair welcomed everyone to the meeting.

**158/20 To receive Apologies and approval of reasons given**

The Clerk informed the meeting no apologies were received.

It was noted both Councillor Chivers and Coombes were not present.

**159/20 Declarations of Interest**

**a) To receive Declarations of Interest**

Councillor Pile declared an interest in planning applications 20/08707/FUL and 20/09184/LBC Westlands Farm, Westlands Lane as she knew the applicant personally.

**b) To consider for approval any Dispensation Requests received by the Clerk and not previously considered**

None.

**c) To note standing Dispensations relating to planning applications**

The Clerk stated the Council had a dispensation lodged with Wiltshire Council dealing with Section 106 agreements relating to planning applications within the parish.

However, there were none for discussion this evening.

**160/20**

**Invited Guests: Andy Birch, Hallam Land Management and Dan Yeates, Savills re proposal for 240 dwellings on Land to the South of Western Way (20/08400/OUT)**

Both Andy Birch, Hallam Land Management and Dan Yeates, Savills attended the meeting to talk through proposals for 240 dwellings and a 70 bed care home on land South of Western Way.

Andy explained Hallam Land Management had been involved with the site for 8 years and as Pathfinder Place had received planning permission, it had set a precedent for future development in this area. Therefore, this site had come forward due to the lack of 5-year land supply by Wiltshire Council and because it was felt the site was sustainable with good connectivity to both the town and Bowerhill and would provide an element of affordable housing required for the area.

Andy stated whilst it was noted Melksham had seen significant new housing, this site would be accounted for in the Local Plan Review, currently underway, which would allocate a new housing allocation figure for Melksham.

Dan went through the key elements for the site:

- Provision of 70 bed care home.
- The application is outline with all matters reserved, such as detailed design, access, final layout of the site, the scale and appearance of the buildings and surrounding landscaping, to be addressed at reserved matters stage.
- Provision of potential 2 access points, one off Western Way and one off of Pathfinder Way via the adjacent site.
- Provision of pedestrian points. Two off of Western Way and one via Pathfinder Place.
- A Sustainable Urban Drainage System (SUDs) will be included within the design to help with drainage.
- Provision of a Locally equipped Play Area (LEAP), NEAP and Multi Use Games Area (MUGA) to the North of the site.
- Circular walkways.

- Provision of community orchard and allotments
- Enhanced green infrastructure, providing landscape buffer strips and green corridors for the open space provision of the development working with existing landscape and retaining existing trees and hedgerow.
- The Transport Assessment includes information on how people would connect to various services and timings.
- Highway improvements to Western Way with inclusion of footpaths to both the West towards town and East, connecting to the footpath on Western Way currently being installed as part of the Pathfinder Place development.

The Chair explained at a recent meeting several issues had been raised and expressed disappointment that some of those issues had not been addressed and invited Members to raise questions.

Councillor Baines sought clarification on access points for the site, as it was understood discussions were ongoing with the adjacent landowner regarding access via Pathfinder Place to Pathfinder Way.

Andy explained discussions were still ongoing with the landowner with progress being made. Discussions were also continuing with Highways on access options, with pros and cons for using either of the access points, however, it was hoped that both options would be available.

Councillor Baines also noted mention was made of good connectivity in one of the reports provided as part of the application, however, this was dependent on access via the adjacent site, otherwise people would have to access Bowerhill and the proposed new primary school adjacent to the site via Western Way and Pathfinder Way.

Dan explained that plans had been submitted, assuming that both options were available.

Councillor Glover stated the Pathfinder Place development had been given approval without taking into consideration the potential for further housing accessing Pathfinder Way and expressed concern at the impact this extra traffic could have on this road.

Andy explained a route had been left through, therefore it was feasible on technical terms and whether this was a reason for refusal.

Councillor Glover also expressed concern at the volume of traffic using the A365, particularly during rush hour and the need for improved traffic management for the site, such as left turn only from the site and left turn only into the site in order to ease traffic flow.

Andy explained that discussions had taken place with Highways and they were happy with proposals and the northern route would help with place shaping.

Councillor Glover also stated he had noted within one of the reports submitted it stated '...a range of services and employment could be reached from the site by sustainable means...', elsewhere in the report it stated '...no means for a requirement to rely on the private car...', which he disputed, given the isolated nature of the site and the need for a reliance on a car to access services and employment and felt this site would encourage/necessitate 'out commuting' for work.

Andy explained it was felt this was a sustainable site, compared to others, given it's close proximity to a range of services/facilities and employment and was a logical place for development.

Councillor Pile expressed a concern at the impact this development would have on existing services, which were already stretched.

Andy explained school capacity changed constantly and a financial contribution would be made towards education provision, as well as health provision.

The Clerk noted within the Planning Statement a table was included which showed what the site would provide with regard to open space and comparing against the amount required by the Leisure and Recreation Development Plan Document and noted a short fall in provision of teenage facilities and sports pitches/courts.

Dan explained the document set out the policy position and what was realistic in deliverability within the scheme. Regarding teenage provision the opportunity to explore more space for teenagers had been discussed at a previous meeting and this could be looked at as part of the masterplan for the site, as well as the possibility of relocating the LEAP away from the MUGA as previously discussed.

Councillor Wood also raised a concern at the impact this development would have on traffic using the A365, as well as people having to walk along a footpath adjacent to a major road in order to get to a crossing to access the town centre and other facilities, including schools.

Councillors Baines explained routes for an A350 by-pass had been proposed around Melksham and some of these routes used the A365 North of this site, which would increase traffic significantly. Currently 20,000 vehicles a day travel through Melksham via the A350 and

expressed a concern if the A365 did form part of the A350 by-pass, this would have considerable impact on traffic flow, if vehicles had to stop to allow people to cross.

Councillor Baines also sought confirmation on the number of pedestrian access points proposed and sought clarification on the following statement made in one of the reports submitted as part of the application as he could not see a connection to the public right of way to the West or to the industrial estate: '...the development parameters plan also demonstrates how the site will integrate with Western Way, the adjacent development to the East and the industrial estate to the South, as well as to the existing public footpath to the West...'

It was confirmed there were 3 proposed footpaths, 2 from Western Way and one off Pathfinder Place. Andy explained proposals provided reasonable distances to walk with a range of connections available and was finding it difficult to balance desirable linkages and keeping traffic flowing, as keeping traffic flowing went against sustainability and felt there was a need to look at a design that discouraged the use of the car in order to make it sustainable.

Councillor Glover sought clarification on whether the proposed connection through to Pathfinder Place adjacent to the site would be a single carriageway with a pavement and the width of the footway on Western Way.

Andy explained the carriageway through to Pathfinder Place would be single carriageway with a footpath, but understood the concern, given the plans for this site had already been approved and explained he would pick this up with Highways Officer.

Dan confirmed the footpaths adjacent to Western Way would be 3m wide to allow for shared use with cycles.

## **161/20 Public Participation**

The member of public present stated they wished to listen to the debate regarding planning application 20/08400/OUT for 240 residential dwellings and a 70 bed care home, land South of Western Way and asked if a certain amount of houses had to be built first prior to the care home and whether an interested party had come forward.

Andy explained the care home provision was not reliant on the number of homes being built and had been approached by several providers interested in such provision in Melksham.

The Chair stated he would go to the debate on the planning application at this stage and move it up the agenda.

**162/20**

**To consider the following Planning Applications:**

**20/08400/OUT:** Land South of Western Way. Erection of up to 240 residential dwellings (Class C3) and a 70 bed care home (Class C2) with associated access, landscaping and open space (Outline application with all matters reserved) (Applicants Hallam Land Management)

Members thanked both Andy and Dan for sending a response to some of the concerns expressed at a previous meeting and expressed frustration that this site was coming forward due to a lack of 5 year land supply by Wiltshire Council.

Councillors raised concern at the following:

- Loss of the rural buffer between Melksham and Bowerhill and need to make a larger buffer, if this application were approved.
- The impact a potential A350 by-pass will have in cutting off this development if Western Way was chosen as part of a route option.
- Sustainability of the site, due to its isolation there would be a reliance of a motor vehicle to access facilities/services.
- The requirement for people to use a footpath on a busy A class road to the nearest crossing to access the town and facilities, including schools.
- The potential for those living on the site to create their own routes through vegetation to the South to gain access to Bowerhill Industrial Estate, the canal and facilities such as the village hall and shop.
- Reference to development to the West, between Melksham and Bowerhill, in one of the documents submitted as part of the planning application was incorrect, as the development referred to is in the village of Berryfield.
- Timings provided for walking distances to the town centre, nearby schools etc were optimistic and did not account for those less mobile or indeed parents walking with young children, especially to access local schools.

- Lack of public transport, bus services, particularly to Bath, Devizes, Chippenham and Trowbridge have been reduced in recent months, even prior to Covid.
- No direct train service to Bath, Bristol, having to change at either Chippenham, Trowbridge respectively, also the frequency of trains stopping at Melksham has reduced, contrary to what was stated in the Planning Statement.
- The impact this site would have on current infrastructure such as schools and GP services.
- The Housing need has already been met for Melksham.

**Comment:** Members **OBJECTED** to this application on the following grounds:

- Outside the settlement boundary.
- Impact of extra traffic will have on the busy A365 Western Way and Pathfinder Way (if access provided)
- Lack of sustainability. The site is not suitable for housing as is isolated from the rest of Bowerhill. The site will not be linked to the village of Bowerhill nor Melksham town as it is separated by the busy A365, which people will have to cross to access the town centre, GP services and education, especially if the proposed primary school adjacent to this site does not come on stream for some time and unless a link is provided to Pathfinder Way via the adjacent site (Pathfinder Place).

It was felt there were inaccuracies within the reports regarding access to train services to Bath/Bristol and local bus services, which have been cut back recently, even prior to Covid 19.

- Whilst Wiltshire Council cannot currently prove a

5-year land supply, Members felt it important to note Melksham has met and exceeded its housing allocation for the period 2006-2026 for 2,370 homes by over 300 dwellings (which does not include recent applications submitted for housing). Indeed, the latest Housing Site Allocations Plan adopted in February 2020 notes this fact and has not included a housing allocation for Melksham.

- Wiltshire's Core Strategy recognises the need to safeguard the rural buffer between Melksham/Bowerhill. Whilst Pathfinder Place is currently being constructed off Pathfinder Way, having already eroded the rural buffer between Melksham/Bowerhill, Members felt quite strongly this buffer should not be eroded even further. Below are the comments made in 2014 to Pathfinder Way application No: 14/04846:

*This is a grossly inappropriate site for development, since it would destroy the rural buffer between the separate communities of Bowerhill village and the town of Melksham, leading to the coalescence of the two settlements. This RURAL BUFFER has been safeguarded in successive local planning policies for 40 years and MUST BE RETAINED. There are other far more suitable sites for future housing provision at Melksham, particularly on the NE side to the north of A3102, where it could help facilitate further sections of an eastern bypass for the town and Beanacre which is a long-standing aspiration of the highway authority.*

*Building on these sites will mean Bowerhill and Melksham joining up, which the Bowerhill residents do not want. Bowerhill is a village with its own community. The emerging Core Strategy paragraph 5.80 states "it is recognised that both Berryfield and Bowerhill have functional relationships to Melksham and have important individual characteristics which should be protected, where practicable". The still current West Wiltshire District Plan 1<sup>st</sup> Alteration 2004,*

*shows half of the proposed development site as R5 New Recreation Space (see page 41 item 3. See also page 55 H1d – Proposals for Housing Development within Towns will be permitted providing they do not result in the loss of an open space, visual gap, important for recreation and amenity reasons. Further housing development outside of the urban area as defined by Town Policy limits will not be permitted during the Plan period. The same condition applies to the Village Policy limit- See page 82 H17d – will not result in the loss of and important open space or visual gap).*

The above points were reiterated again in 2016 to application No: 16/01223 for this site, along with the following statement:

*The Core Strategy paragraph 5.83 (page 130) states “Melksham and Bowerhill village have a functional relationship and are considered together for the purposes of this strategy. Therefore the housing growth identified for Melksham town will also serve to meet the needs of Bowerhill. **The identity of these separate communities will need to be preserved through the planning process.** It is recognised that both Berryfield and Bowerhill have functional relationships to Melksham and have important individual characteristics which should be protected, where practicable”.*

If this application were to go ahead, Members felt quite strongly that properties should be set back from the road, to create a green buffer between this development the A365 and Melksham itself.

- Loss of agricultural land.
- The Council would prefer to see this site allocated for employment use to allow for an expansion of Bowerhill Industrial Estate in order to create more jobs for local people. This is even more important given the impact of Covid 19 on employment opportunities both locally and nationally.

- Some of the houses to the south of the proposed site will back onto Bowerhill Industrial Estate. There are concerns that in the future residents of the new housing will not be happy with the neighbouring businesses.
- Lack of school places, both primary and secondary. Whilst noting there are proposals to build a primary school on an adjacent site. It is understood this will not be built at present, due to a lack of funding.

The Parish Council would expect S106 contributions towards funding this primary school as a priority, as well as funding towards secondary education.

Highway safety. The nearest primary schools are Bowerhill Primary and Aloeric School. It is understood both are full. Members raised concern at pupils/parents having to cross the busy A365, to access Aloeric School in particular.

Regarding secondary school, it is understood even with the current extension underway at Melksham Oak, the school is projected to be full by 2023.

- Bowerhill has a satisfactory mix of housing types, but Melksham needs additional affordable family housing for local people. The Melksham area generally DOES NOT require any more housing which is likely to encourage people who will commute out of the area.
- The council has serious concerns regarding the ability of the current sewerage system to cope with a large new housing development. Wessex Water commented on 21 May, 2014 that “There is limited available spare capacity within the local foul sewerage system to accommodate predicted foul flows from the development (as proposed in the outline planning application W14/04846/OUT for Pathfinder Place)”. Should this application be successful the Council wishes to endorse the foul

water planning condition as requested by Wessex Water.

- The Council has serious concerns over the impact 240 houses and a care home will have on the already overstretched GP surgeries in Melksham. NHS England previously stated one of the 3 surgeries had capacity issues, (one surgery has since closed).

If Wiltshire Council are minded to approve this application, Members asked if consideration could be given to the following:

- Sound proofing provided for those dwellings to the South to mitigate against any potential noise from the adjacent industrial units.
- Provision for equipment for teenagers in the recreational area away from the LEAP.
- Provision of paved circular walks around the site with the inclusion of benches and bins.
- Allotments. The provision of water, security fencing, provision of parking and who would manage these?
- A suitable contribution towards the cost of building the primary school on the adjacent site (Pathfinder Place development) where land has been earmarked; to ensure it is built?
- If access is agreed into the adjacent development, could consideration be given to easier drop off/pick up routes for the proposed primary school. The Parish Council are aware of another primary school in a new development, located on a dead-end, which makes it difficult for people maneuvering their vehicles and thereby holding up other traffic. The parish council have already asked Taylor Wimpey for some sort of provision to allow easier movement of vehicles during drop-off, pick-up times.

- Significant contributions are made towards the provision of the adjacent Pathfinder Way primary school and towards secondary education.

If this application were to be approved by Wiltshire Council, the Parish Council ask:

- LEAP/MUGA. To enter into negotiations for taking on the ownership and management of the equipped play areas.
- Pedestrian access to the site be provided off Western Way.
- Shared Spaces are delineated clearly i.e. different levels or different coloured paving, as this has caused conflict between pedestrians and vehicles in other new developments locally.

**20/05680/FUL:** Land North East of New Road. Agricultural barn/shed for safe secure storage of agricultural equipment, tools and feed. (Applicant Stuart Little)

**Comment:** Whilst having No objection to this application, Members asked that the materials and colour of the barn are sympathetic to its rural location.

**20/08707/FUL:** Westlands Farm, Westlands Lane, Beanacre. Demolition of existing conservatory and replacement with single storey garden room, internal alterations, replacement of existing ground floor slab with front reception room and hall, removal of existing partition wall. (Applicants Mr & Mrs Nicholas)

**Comment:** No Objection.

**20/09184/LBC:** Westlands Farm, Westlands Lane, Beanacre. Demolition of existing conservatory and replacement with single storey garden room, internal alterations, replacement of existing ground floor slab with front reception room and hall, removal of existing partition wall. (Applicants Mr & Mrs Nicholas)

**Comment:** No objection.

**20/08945/FUL:** 39 Shaw Hill, Shaw. Rear extension to detached dwelling and works to garage to provide home office. (Applicant James Reeves)

**Comment:** No objection.

**20/09009/FUL:** 41 Wellington Square, Bowerhill. Erection of two storey side extension to existing semi-detached house. (Applicant Rob Powell)

**Comment:** Whilst having no objection to this application Members expressed concern at the inadequacy of the parking proposed for a dwelling of this size.

**163/20**      **New Premises Licence application: LCB Ltd, Hangars 1 To 5, Lancaster Road, Bowerhill, Wiltshire for supply of alcohol (OFF Sales) - Monday to Friday 06:00 hrs –18:00 hrs. To consider making any representations**

Members had no objection to this application and did not wish to make a representation against the application.

**164/20**      **Application for Goods Vehicle Operators Licence by Alpha Rod Ltd of 5 Faraday Park, Pegasus Way, Bowerhill for a licence to use premises as an operating centre for 2 Goods Vehicles and 1 trailer. To consider making a representation**

The Clerk explained she had noted this application in the local press and placed it on the agenda in case Members wished to make a representation against the application.

Members had no objection to this application.

**165/20**      **Lack of 5 Year Land Supply**

**a) To note response from Wiltshire Council regarding lack of 5 year land supply**

The Clerk explained due to other work pressures, she had yet had an opportunity to send a letter to Wiltshire Council regarding the Parish Council's concerns at the impact the lack of a 5 year land supply was having on the parish.

**166/20      Revised Plans. To comment on any revised plans received within the required timeframe (14 days)**

None received.

**167/20      Planning Enforcement: To note any planning enforcement queries raised**

No responses had been received relating to planning enforcement queries.

**168/20      Planning Policy**

**a) To note response from Michelle Donelan MP regarding ‘Planning for the Future’ Planning Reforms**

Members noted Michelle Donelan MP’s response to the Council’s concerns regarding the Government’s proposals to reform the planning system.

**b) To note response from Wiltshire Council to the ‘Planning for the Future’ white paper consultation**

Members noted Wiltshire Council’s response to the Planning for the Future White Paper consultation.

**169/20      S106 Agreements and Developer meetings: (*Standing Item*)**

**a) To note update on ongoing and new S106 Agreements**

The Clerk explained the Pathfinder Place play area installation was only a week behind schedule.

**b) To consider any new S106 queries**

Clarification was sought by Councillor Glover on what community benefit (S106) had been sought from the development for 240 dwellings on land South of Western Way (20/08400/OUT).

Discussion ensued on a contribution towards the development of the proposed primary school adjacent to the site, as well as a contribution towards secondary education. It was felt a new secondary school would be required, given it was understood the Oak would be full by 2023, even with the new extension

The Clerk informed Members there would be an automatic trigger for education contributions.

Regarding recreation, it was asked that a contribution be made to Bowerhill Sports field. It was understood the recreation officer at Wiltshire Council would ask for this, however, the Clerk agreed to reiterate this request.

It was also asked to remind the developers for the need for teenage provision on the site, as well as relocating the MUGA away from the LEAP.

The Clerk explained Members could make representations regarding the amount of Community Infrastructure Levy (CIL) Wiltshire Council have received from applications within the parish. The Clerk suggested this be placed on a future agenda item for discussion on requests for infrastructure.

**c) To note any S106 decisions made under delegated powers**

None.

**d) To note any contact with developers**

None.

**170/20**

**Neighbourhood Plan**

**a) To note that Melksham Neighbourhood Plan submitted to Wiltshire Council for Regulation 16.**

The Clerk reported the Neighbourhood Plan had been submitted to Wiltshire Council for Regulation 16 the previous week. Wiltshire Council had suggested a few minor additions to various documents, which would be done shortly and uploaded to the dedicated website.

**b) Seend Parish Neighbourhood Plan. To consider a response to the Regulation 16 consultation (5 October-30 November 2020)**

Members noted the Seend Neighbourhood Plan was currently at Regulation 16 consultation and noted both Giles Wood and Bowerhill

Picnic area had been safeguarded in the plan, following comments raised by the Parish Council.

Meeting finished at 8.36pm

Signed .....  
By the Chair at Full Council Meeting  
23 November 2020